

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Stephon M. P [REDACTED],)	Civil Action No. 5:20-cv-00820-DNH
<i>Plaintiff,</i>)	
)	
vs.)	
)	
Kilolo Kijakazi ¹)	Stipulation – Document Filed Electronically
Acting Commissioner of the)	
Social Security Administration)	
<i>Defendant.</i>)	

Consent Order for Payment of Fees under the Equal Access to Justice Act

IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the parties in the above-titled action that Plaintiff be awarded attorney fees and expenses under the Equal Access to Justice Act (EAJA) (28 U.S.C. § 2412) in the amount of seven thousand thirty-seven dollars and seventy-two cents (\$7,037.72).

The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case. Any fees paid belong to Plaintiff and not to his attorney and can be offset to satisfy pre-existing debt that Plaintiff owes the United States. Astrue v. Ratliff, 560 U.S. 586 (2010). After the Court enters this award, if Defendant can verify that Plaintiff owes no preexisting debt subject to offset, Defendant agrees to make the award payable to the Plaintiff's attorney pursuant to the EAJA assignment signed by Plaintiff and counsel.

AND, the Court having reviewed the record in this matter;


IT IS on this 26th day of April, 2022;

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

ORDERED that Plaintiff be awarded fees under EAJA in the amount of \$7,037.72, and that the fees are payable to the Plaintiff, but if Plaintiff does not owe a debt subject to offset, payable to the Plaintiff's attorney.

ORDERED that this award will fully and completely satisfy any and all of Plaintiff's claims for fees under 28 U.S.C. § 2412, and costs under 28 U.S.C. § 1920 and Fed. R. Civ. P. 54(d)(1).

ORDERED that the within matter be dismissed with prejudice.



David N. Hurd
U.S. District Judge

The undersigned hereby consent to the form and entry of the within order.

Dated: April 25, 2022

Kilolo Kijakazi,

Stephon M. P. [REDACTED],

By Her Attorneys

By His Attorney

Carla B. Freedman,
United States Attorney

/s/ Louis J. George
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